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HIGH COURT OF CHHATTISGARH AT BILASPUR

Writ Petition (S) No. 2404 of 2007

Petitioner Arun Kumar Netam, aged about 32 years, S/o Shyam Sunder Netam, Posted at Government High School, Shankarpur, Farasgaon, District-Baster [C.G]

Versus

Respondents

1. State of Chhattisgarh, Through Secretary, Panchayat Deptt. Mantralaya, DKS Bhawan, Raipur [C.G]
2. Chief Executive Officer, District Panchayat, Jagdalpur Distt. Baster [C.G]
3. Assistant Commissioner, Adim Jati Kalyan Vibhag, Jagdalpur, Distt. Baster [C.G]
4. Shri V.C. Shukla, Prinicipal in Charge, Government High School, Shankarpur, Vikaskhand Farasgaon, P.O. Farasgaon, Distt. Baster, [C.G]

Writ petition under Article 226 of the Constitution of India

Single Bench: Hon'ble Mr. Justice Satish K. Agnihotri

Present: Mr. B.R. Ghose, Advocate for the petitioner.
Mr. Ajay Dwivedi, Panel Lawyer for State/respondents No. 1 & 3.

O R D E R

(Passed on 19th Day of April, 2007)

1. The petitioner was working as Shiksha Karmi Grade-II at Government High School, Shankarpur, Vikaskhand - Farasgaon, District-Baster. Show cause notice dated 23.01.2007 (Annexure P/4) was issued to him, asto why action should not be taken for termination of his services for his misconduct committed on 8.1.2007.

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2. The notice was issued earlier on 8.1.2007, which the petitioner concerned, according to the allegation levelled against him, had thrown the same away. The matter is at the notice stage. The proper course for the petitioner would have been to reply the notice. The prayed for quashing the notice is rejected as having no merit.

3. With regard to prayer 7(I) that the impugned order dated 19.2.2007 (Annexure P-1) whereunder the attachment of the petitioner with the High School, Shankarpur, Vikaskhand - Farasgaon was cancelled and he was sent back to the original place. The learned counsel submits that the same was passed in malifide exercise of power. There is no document filed in support of this contention except self-some statement made by the petitioner. Thus, this contention is noticed to be dismissed on the ground that the allegation is without any basis.

4. For the reasons stated hereinabove, this petition is dismissed. No order as to costs.

Sd/-
Satish K.Agnihotri
Judge

Subhash